



DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

I believe I am the origina first, and joint inventor (if	I, first, and sole inventor (if only of plural names are listed below) of	one name is listed below) of the subject matter which	or an origi is claime	nai, d and
for which a patent is sou	ght on the invention entitled			
	N ACOUSTO-OPTIC TUNABLE IPROVED WAVE-DAMPING CA			· · · · ·
	II NOVED WAVE-DAWI ING OF	1 ADICITI		
the specification of which	1			
	ed hereto.			
	on (MM/DD/YYYY)	02/05/2002	a	5
	United States Application Numb			
	or PCT International Application and was amended on (MM/DD/)			
	and was amonass on (mm/ss/	(if applic	able)	
specification, including the lacknowledge the duty to defined in Title 37, Code I hereby claim foreign proforeign application(s) for any foreign application for application on which prices.	•	amendment referred to ab to me to be material to pa 1.56. ited States Code, Section sted below and have also	tentability 119(a)-(d) identified that of th	o, of any below e rity
Prior Foreign Application	<u>(S)</u>		<u>Clair</u>	<u>ned</u>
Number	Country	(Foreign Filing Date - MM/DD/YYYY)		No
Number	Country	(Foreign Filing Date - MM/DD/YYYY)	Yes	No
Number	Country	(Foreign Filing Date - MM/DD/YYYY)	Yes	No
	it under Title 35, United States 0	Code, Section 119(e) of an	y United S	States
provisional application(s)) listed below:			
60/276,753 Application Number	03/16/2001	D/YYY)		
60/276,753	03/16/2001	D/YYYY)	•	

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: (Filing Date - MM/DD/YYYY) Status -- patented. Application Number pending, abandoned (Filing Date - MM/DD/YYYY) Status -- patented. Application Number pending, abandoned I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. Send correspondence to <u>Stephen M. De Klerk</u>, BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent) ZAFMAN LLP, 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California, 90025, and direct telephone calls to Stephen M. De Klerk (408) 720-8300. (Name of Attorney or Agent) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of Sole/First Inventor ____ Date _____3/21/02 Inventor's Signature ____ Santa Clara, California Citizenship Republic of Korea (Country) (City, State) Post Office Address ___ 1514 Vista Club Circle, #202 Santa Clara, California 95054 Full Name of Second/Joint Inventor In-Kag Hwang _____ Date ______ 3/27/02 Inventor's Signature Sunnyvale, California Citizenship Republic of Korea (City, State) (Country)

Post Office Address ____

180 Elm Court, #503

Sunnyvale, California 94086

Full Name of Third/Jo	int Inventor \ Kwan II Lee					
Inventor's Signature	6 Mish	Date _	Mar 27, 2002			
Residence	Sunnyvale, California (City, State)	_ Citizenship	Republic of Korea (Country)			
Post Office Address	1055 Manet Drive, #60 Sunnyvale, California 94087					
	loint Inventor <u>Hyo-Sang Kim</u>					
Inventor's Signature	Hyo Seg 1	Date _	Mar. 27, 2002			
Residence	Santa Clara, California (City, State)	_ Citizenship	Republic of Korea (Country)			
Post Office Address	480 Oak Grove Drive, Apt. 202 Santa Clara, California 95054					
Full Name of Fifth/Joi	nt Inventor Pavel G. Polynki	n				
Inventor's Signature		Date _				
Residence	Fremont, California (City, State)	_ Citizenship	Russian Federation (Country)			
Post Office Address	38740 Tyson Lane, #214 Fremont, California 94536					
Full Name of Sixth/Joint Inventor Helge E. Engan						
Inventor's Signature	felge E. Enga	Date _	3/27/02			
	Santa Clara, California (City, State)					
Post Office Address	1526 Vista Club Circle, Apt. 30 Santa Clara, California 95054	2				
Full Name of Seventh	n/Joint Inventor <u>Wayne V. So</u>	orin				
Inventor's Signature	Wayne V. Son	Date_	3/25/02			
Residence	Mountain View, California (City, State)	_ Citizenship	Canada (Country)			
Post Office Address	3579 Cambridge Lane Mountain View, California 940	40				

APPENDIX A

Ramin Aghevli, Reg. No. 43,462; William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. 42,261; William Thomas Babbitt, Reg. No. 39,591; Jordan Michael Becker, Reg. No. 39,602; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; R. Alan Burnett, Reg. No. 46,149; Gregory D. Caldwell, Reg. No. 39,926; Jae-Hee Choi, Reg No. 45,288; Thomas M. Coester, Reg. No. 39,637; Robert P. Cogan, Reg. No. 25,049; Donna Jo Coningsby, Reg. No. 41,684; Florin Corie, Reg. No. 46,244; Mimi Diemmy Dao, Reg. No. 45,628; Dennis M. deGuzman, Reg. No. 41,702; Stephen M. De Klerk, Reg. No. 46,503; Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Justin M. Dillon, Reg. No. 42,486; Sanjeet Dutta, Reg. No. 46,145; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; Thomas S. Ferrill, Reg. No. 42,532; George Fountain, Reg. No. 37,374; Andre Gibbs, Reg. No. 47,593; James Y. Go, Reg. No. 40,621; Melissa A. Haapala, Reg No. 47,622; Alan Heimlich, Reg. No. 48,808; James A. Henry, Reg. No. 41,064; Libby H. Ho, Reg. No. 46,774; Willmore F. Holbrow III, Reg. No. 41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; William W. Kidd, Reg. No. 31,772; Walter T. Kim, Reg. No. 42,731; Eric T. King, Reg. No. 44,188; Steve Laut, Reg. No. 47,736; George Brian Leavell, Reg. No. 45,436; Samuel S. Lee, Reg. No. 42791; Gordon R. Lindeen III, Reg. No. 33,192; Jan Carol Little, Reg. No. 41,181; Julio Loza, Reg. No. 47,758; Joseph Lutz, Reg. No. 43,765; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, Reg. No. 48,095; Paul A. Mendonsa, Reg. No. 42,879; Clive D. Menezes, Reg. No. 45,493; Richard A. Nakashima, Reg. No. 42,023; Stephen Neal Reg. No. 47,815; Chun M. Na. Rea. No. 36,878; Thien T. Nauyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Robert B. O'Rourke, Reg. No. 46,972; Daniel E. Ovanezian, Reg. No. 41,236; Gregg A. Peacock, Reg. No. 45,001; Marina Portnova, Reg. No. 45,750; Michael A. Proksch, Reg. No. 43,021; Randol W. Read, Reg. No. 43,876; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey S. Schubert, Reg. No. 43,098; Saina Shamilov, Reg. No. 48,266; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Ronald S. Tamura, Reg. No. 43,179; Edwin H. Taylor, Reg. No. 25,129; Lance A. Termes, Reg. No. 43,184; John F. Travis, Reg. No. 43,203; Kerry P. Tweet, Reg. No. 45,959; Mark C. Van Ness, Reg. No. 39,865; Torn Van Zandt, Reg. No. 43,219; Brent Vecchia, Reg No. 48,011; Lester J. Vincent, Reg. No. 31,460; Archana B. Vittal, Reg. No. 45,182; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Mark L. Watson, Reg. No. 46,322; Thomas C. Webster, Reg. No. 46,154; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Charles P. Landrum, Reg. No. 46,855; Suk S. Lee, Reg. No. 47,745; and Raul Martinez, Reg. No. 46,904, Brent E. Vecchia, Reg. No. 48,011; Lehua Wang, Reg. No. P48,023; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.